

MP #

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533)(Small Entity)**

Docket No.
33677-00000 *AY*

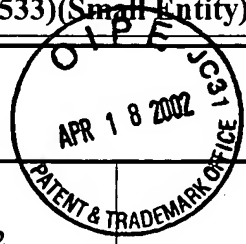
In Re Application Of: **B rodic et al.**

Serial No.
10/040,830

Filing Date
January 8, 2002

Examiner
TBA

Group Art Unit
1645



Invention: **USE OF BOTULINUM TOXIN FOR THE TREATMENT OF CHRONIC FACIAL PAIN**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on
February 6, 2002
Date

Enclosed herewith for filing are the following:

- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). **(REQUIRED)**
- ☐ An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- ☒ A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date.
- ☐ An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- ☐ A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- ☐ _____ verified small entity declaration(s)
 - ☐ is/are attached.
 - ☐ was/were filed on _____
- ☐ A separate request for refund.
- ☐ Other (list):

04/19/2002 SFELEKE1 00000012 10040830

02 FC:215

55.00 OP

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533)(Small Entity)**

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1645

Invention: **USE OF BOTULINUM TOXIN FOR THE TREATMENT OF CHRONIC FACIAL PAIN**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Attention: Manager, Application Branch

☐ Completion of application fees as calculated below:

☐ Utility application filing fee

☐ Design application filing fee

☐ Total number of independent claims =

☐ Total number of claims =

☐ Multiple dependent claims

☒ Surcharge for late payment of filing fee and/or late filing of original declaration or oath **\$65.00**

☐ Petition and fee for filing by other than all the inventors or a person not the inventor

☐ Fee for processing an application filed with a non-English language specification

☐ Fee for processing and retention of application

Total completion of application fees

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

☒ One month ☐ Two months ☐ Three months ☐ Four months ☐ Five months

from: April 6, 2002 until: May 6, 2002
Date Date

Total time extension fees **\$55.00**

Total fees due **\$120.00**

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533) (Small Entity)**

Docket No.
33677-00000

In Re Application Of: **Borodic et al.**

Serial No.
10/040,830

Filing Date
January 8, 2002

Examiner
TBA

Group Art Unit
1645

Invention: **USE OF BOTULINUM TOXIN FOR THE TREATMENT OF CHRONIC FACIAL PAIN**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Attention: Manager, Application Branch

The fee of **\$120.00** is to be paid as follows:

- ☒ A check in the amount of the fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 13-3250
A duplicate copy of this sheet is enclosed.
- ☐ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 13-3250
A duplicate copy of this sheet is enclosed.


Signature

Dated: **April 10, 2002**

**Michael N. Nitabach
Registration No. 47,344
Milbank, Tweed, Hadley & McCloy LLP
1 Chase Manhattan Plaza
New York, New York 10005-1413
Tel (212) 530-5057
Fax (212) 822-5057**

I certify that this document and fee is being deposited on **April 10, 2002** with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

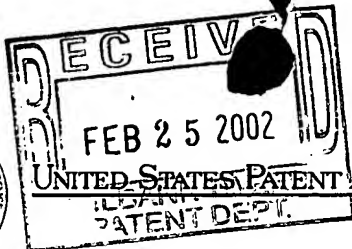

Signature of Person Mailing Correspondence

Maria Lagdameo

Typed or Printed Name of Person Mailing Correspondence

cc: **Hildere Jean-Louis**

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COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/040,830	01/08/2002	Gary E. Borodic	33677-00000

CONFIRMATION NO. 2713

FORMALITIES LETTER



OC000000007427485

Milbank, Tweed, Hadley & McCloy
1 Chase Manhattan Plaza
New York, NY 10005-1413

Case: _____ Attorney: MN
Due Date: APR 16, 2002
Stat Date: AUGUST 6, 2002
By: HR

Date Mailed: 02/06/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

04/19/2002 SFELEX1 00000012 10040830

01 FC:205

65.00 DP